

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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OPERATING ENGINEERS LOCAL 139  
HEALTH BENEFIT FUND,  
CENTRAL PENSION FUND OF THE  
INTERNATIONAL UNION OF OPERATING  
ENGINEERS AND PARTICIPATING EMPLOYERS,  
WISCONSIN OPERATING ENGINEERS SKILL  
IMPROVEMENT AND APPRENTICESHIP FUND,  
JOINT LABOR MANAGEMENT WORK  
PRESERVATION FUND,  
TERRANCE E. MCGOWAN, AS A TRUSTEE OF  
SAID FUNDS EXCEPT CENTRAL PENSION FUND,  
MICHAEL FANNING AS CHIEF EXECUTIVE OFFICER  
OF CENTRAL PENSION FUND,  
and INTERNATIONAL UNION OF OPERATING  
ENGINEERS LOCAL 139,

Plaintiffs,

v.

Case No. 17-cv-541-pp

ADKINS CONSTRUCTION, INC.,

Defendant.

and

MIRON CONSTRUCTION CO., INC.,

Garnishee-Defendant.

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**ORDER GRANTING MOTION FOR TURNOVER AGAINST  
GARNISHEE DEFENDANT (DKT. NO. 30)**

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On August 31, 2017, the court entered judgment in favor of the plaintiffs and against the defendant in the amount of \$399,829.51, plus costs and post-judgment interest on that amount at the rate required by 28 U.S.C. §1961.


Dkt. No. 20. Almost ten months later, the plaintiffs served a “Garnishment Summons and Complaint for Non-Earnings” on the garnishee-defendant Miron Construction Co., Inc. (See un-numbered docket entry of June 25, 2018.) On July 12, 2018, the garnishee-defendant filed a response, stating that it possessed \$2,258.80 which was due and owing to the defendant, Adkins Construction Co., Inc., that it would await a further order from the court before turning over the funds. Dkt. No. 28.

On July 24, 2018, the plaintiffs filed a motion for entry of a turnover order against Miron Construction Co., Inc. Dkt. No. 30. Because there remains \$328,408.37, including costs and post-judgment interest, due and owing on the judgment entered on August 31, 2017, the court will grant the plaintiffs’ motion.

The court **GRANTS** the plaintiff’s motion for entry of a turnover order. The court **ORDERS** that the plaintiff shall recover the sum of \$2,258.80 from the Garnishee-Defendant, Miron Construction Co., Inc.

Dated in Milwaukee, Wisconsin this 3rd day of December, 2018.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**